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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

FILED

SEP 10 2009

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:

James A Walker
Valerie K Walker

Debtor(s).

Bankruptcy Case No: 09-37260-C-7

TO: Isabelle and Milton Gray

THIS IS IN RESPONSE TO THE DOCUMENT/LETTER YOU RECENTLY FILED (COPY ATTACHED):

- ☐ It appears that the enclosed document does not relate to a case within the Eastern District of California Bankruptcy Court. Please verify debtor's name and case number and submit to the correct court. For your convenience, a *List of Courts within California* is enclosed.
- ☐ Your check # _____ in the amount of \$ _____ is being returned to you as the court does not accept personal checks. Please resubmit your payment in the form of a cashier's check or money order made out to the U.S. Bankruptcy Court. For your own protection, do not send cash through the mail.
- ☐ We are returning your financial documents for you to send to your trustee at the following address:
- ☐ Your check # _____ in the amount of \$ _____ is being returned to you as the court does not accept payments on behalf of the Chapter 13 Trustee. Please submit the payment directly to the Chapter 13 Trustee at the following address:
- ☒ Other: The letter you have submitted has been placed on the docket. It is unclear what, if any additional action you wish taken. If you wish to file a proof of claim, please resubmit with the appropriate form, which is enclosed for your convenience.
- ☐ The document that you filed appears to be amending the petition. The change you are attempting to make cannot be done by filing the attached document. We have accepted your document for filing but will take no action on it.
- ☐ We are returning the _____, as it is unclear what you are attempting to file. If you wish to file a proof of claim, please resubmit with the appropriate form, which is enclosed for your convenience.

PLEASE SEE SECOND PAGE OF THIS DOCUMENT FOR ADDITIONAL INFORMATION.

☐ The court's forms package can be obtained from our website at www.caeb.uscourts.gov free of charge. You may also purchase the forms package for \$3.00 at the Clerk's office. Payment may be made in the form of cash (exact change required), money order or cashier's check. For your protection, do not send cash through the mail.

☐ We are unable to provide you with copies without the payment of search, photocopy and/or certification fees. Please see fee schedule below or alternatively you can view cases electronically through a PACER account, which is available on our web site at www.caeb.uscourts.gov. The court does not accept personal checks for payment of fees. We accept business checks, cashier's checks or money orders. For your protection, do not send cash through the mail.

Search of Records:	\$26.00 per name/item	x	_____	=	\$ 0.00
Photocopy Fee:	\$.50 per page	x	_____	=	\$ 0.00
Certification Fee:	\$9.00 per document	x	_____	=	\$ 0.00
TOTAL					\$ 0.00

☐ The above-entitled case was closed on _____. Before the attached document(s) will be processed, you must submit a Motion to Reopen Case and payment of a filing fee may be required. See www.caeb.uscourts.gov and select *Filing and Fee Information*. Additionally, for cases filed in the Sacramento/Modesto office, a Notice of Hearing with the date and time filled in setting the matter in the appropriate department may also be required. See www.caeb.uscourts.gov and select *Court Calendars*.

☐ The information you requested would require the rendering of legal advice, something the court, by law, cannot do. In order for your question to be answered, it will be necessary for you to seek the advice of competent legal counsel.

☐ The case file has been closed and sent to the Federal Records Center in San Bruno, California for storage. Therefore, the information that you requested must be obtained directly from the Federal Records Center. Enclosed please find information on how to request copies of records from the Federal Records Center.

ALL NEGOTIABLE INSTRUMENTS MUST BE MADE PAYABLE TO THE CLERK OF THE U.S. BANKRUPTCY COURT. MONEY ORDERS AND CASHIER'S CHECKS ARE ACCEPTED FROM THIRD PARTIES AND ARE ACCEPTABLE FOR PAYMENT OF ALL FEES AND SERVICES. CHECKS FOR FILING FEE PAYMENTS, OTHER THAN CASHIER'S CHECKS, MUST BE DRAWN ON THE TRUST ACCOUNT OF THE DEBTOR'S ATTORNEY. CHECKS FOR ALL OTHER FEES AND SERVICES MUST BE BUSINESS CHECKS OR CASHIER'S CHECKS. **NO PERSONAL CHECKS!** FOR YOUR OWN PROTECTION, **DO NOT SEND CASH THROUGH THE MAIL.**

DATED: 9/10/09

By: 

U.S. Bankruptcy Court
501 I Street, Suite 3-200
Sacramento, CA 95814-2322
(916) 930-4400

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FILED

Case # 09-37260-C-7

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

Sir:

We offer the following data on a contract my wife (Isabelle) and I (Milton) had with James A. Walker, the Founder of Senior Care Advocates.

We contacted his organization in order to set up and provide for Natalie Mando's (Isabelle's mother) care. The cost was set at \$16,490.00 on 3-24-08 which was to eventually place her in a care home. The cost was to include all legal requirements.

During the course of our conversations prior to signing of the contract and even after the signing of the contract with a Senior Care Representative and personally with James A Walker we asked if Natalie was to die prior to the placement in a care home would there be a rebate of the unused funds which were paid up front on 3-24-08. Both James A. Walker and his representative informed us that there would definitely be a refund when and if this happened. Natalie Mando did die on 6-8-08 prior to the placement in a care Home. Senior care was advised at that time by us. We then requested that the unused funds be calculated and returned. In lieu of a refund James A Walker offered a reduced plan for us which we said No to. We also received several calls later from other senior care representatives asking us to accept the reduced plan. We made it clear that we would wait for the return of the unused funds.

As of this date, no further contact has been forth coming or a refund.

85 to 90% of all the preparation work was done by us, therefore James Walkers' organization was mainly just a record keeping administration during the period of 3-24-08 until 6-8-08, at the time of Natalie,s death.

We believe you will find this input very revealing of the dealings we have had with James A Walker's, Founder of Senior Care Advocates:

Enclosed is a copy of his business card

Sincerely,

Isabelle M. Gray
6440 Teal Way
Carmichael, Ca
95608

Milton G. Gray
6440 Teal Way
Carmichael Ca 95608

Protecting Assets. Delivering Peace Of Mind.



SENIORCAREADVOCATES

James Walker
Founder

1-888-888-3440

1-800-578-0441

1-888-593-6137

www.seniorcareadvocates.com

680 Sunrise Avenue

Rosville, CA 95661

UNITED STATES BANKRUPTCY COURT Eastern District of California		PROOF OF CLAIM
Name of Debtor: _____		Case Number: _____
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property): _____		<input type="checkbox"/> Check box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ <i>(If known)</i> Filed on: _____
Name and address where notices should be sent: _____		
Telephone number: _____		
Name and address where payment should be sent (if different from above): _____		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you are the debtor or trustee in this case.
Telephone number: _____		
1. Amount of Claim as of Date Case Filed: \$: _____ If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim: <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950),* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507(a)(5). <input type="checkbox"/> Up to \$2,425 * of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507(a)(____). Amount entitled to priority: \$ _____ <small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
2. Basis for Claim: _____ (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: _____ 3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim: (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of property: \$ _____ Annual Interest Rate: _____% Amount of arrearage and other charges as of the time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: _____		
6. Credits: The amount of all payments on this case has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. <i>(See instruction 7 and definition of 'redacted' on reverse side.)</i> DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: _____		FOR COURT USE ONLY
Date: _____	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file the claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

Items to be completed in Proof of Claim form**Court, Name of Debtor, and Case Number:**

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim, and the name and address of the person who should receive notices issued in the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS**Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of

liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

INFORMATION**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. §101 et seq.), and any applicable orders of the bankruptcy court.